

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

PAUL BERGER, directly and derivatively on)	
behalf of Income Opportunity Realty)	
Investors, Inc.,)	
)	Case No. 3:19-cv-286
Plaintiff,)	
)	
v.)	Hon. Ed Kinkeade
)	
TRANSCONTINENTAL REALTY)	
INVESTORS, INC., et al.,)	
)	
Defendants.)	

MOTION TO DISMISS

Defendants Transcontinental Realty Investors, Inc., American Realty Investors, Inc., Pillar Income Asset Management, Inc., Daniel J. Moos, Gene E. Bertcher, Louis J. Corna, Ted R. Munselle, Henry A. Butler, Robert A. Jakuszewski, and Raymond D. Roberts hereby respectfully move to dismiss with prejudice all claims against them pursuant to Federal Rule of Civil Procedure 12(b)(6). The points in support of this motion are set out in the accompanying memorandum in support.

Respectfully submitted,

Dated: May 31, 2019

/s/ Richard Sayles

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CERTIFICATE OF SERVICE

I hereby certify that on May 31, 2019, a copy of the above and foregoing document was served by electronic transmission on all counsel of record via the Court's ECF system.

/s/ Stephen A. Khoury